

CASE 2:15-cr-00707-R-2-2



efile_information@casd.uscourts.gov

02/17/2016 11:25 AM

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cc

bcc

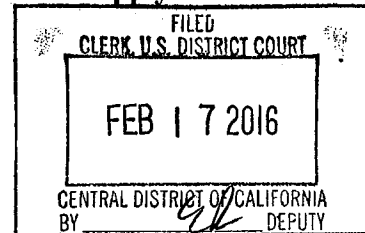
Subject Activity in Case 3:16-mj-00315-BGS USA v. Lopez Notice to Receiving District of MJ Case Removal FORM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

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U.S. District Court

Southern District of California



Notice of Electronic Filing

The following transaction was entered on 2/17/2016 at 11:25 AM PST and filed on 2/17/2016

Case Name: USA v. Lopez
Case Number: 3:16-mj-00315-BGS
Filer:
Document Number: 14(No document attached)

Docket Text:

NOTICE to Receiving District: (Central District of California), of Case Removal, as to Jessica Lopez. The following documents are available on the public docket: [12] Waiver of Rule 5 Hearings, [10] Order of Detention, [7] Notice of Attorney Appearance - Defendant, [13] Warrant of Removal Issued, [1] Out of District Complaint, [8] Notice of Attorney Appearance - USA. To request additional transfer information and/or to submit acknowledgment re receipt of transfer, please email InterdistrictTransfer_CASD@casd.uscourts.gov.. (acc)

3:16-mj-00315-BGS-1 Notice has been electronically mailed to:

U S Attorney CR Efile.dkt.gc2@usdoj.gov

Chelsea A. Estes chelsea_estes@fd.org, imelda_armantrout@fd.org

Meghan Elizabeth Heesch meghan.heesch@usdoj.gov, Efile.dkt.gc1@usdoj.gov,
janice.griffin@usdoj.gov

**3:16-mj-00315-BGS-1 Electronically filed documents must be served conventionally by the
filer to:**

**U.S. District Court
Southern District of California (San Diego)
CRIMINAL DOCKET FOR CASE #: 3:16-mj-00315-BGS-1**

Case title: USA v. Lopez

Date Filed: 02/02/2016

Date Terminated: 02/17/2016

Assigned to: Magistrate Judge Bernard G. Skomal

Defendant (1)

Jesica Lopez

TERMINATED: 02/17/2016

represented by **Federal Defenders**

Federal Defenders of San Diego

225 Broadway

Suite 900

San Diego, CA 92101-5008

(619)234-8467

Fax: (619)687-2666

Email: casd_ecf@fd.org

TERMINATED: 02/04/2016

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

*Designation: Public Defender or Community
Defender Appointment*

Chelsea A. Estes

Federal Defenders of San Diego

225 Broadway

Suite 900

San Diego, CA 92101

619-234-8467

Email: chelsea_estes@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Highest Offense Level (Opening)

None

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

21:846; 21:841(a)(1); 21:841(b)(1)(B)(viii) -
Conspiracy to Distribute Methamphetamine;

Disposition

Disposition

Disposition

Distribution and Possession with the Intent to
Distribute Methamphetamine

Plaintiff**USA**represented by **U S Attorney CR**

U S Attorneys Office Southern District of
California

Criminal Division

880 Front Street

Room 6293

San Diego, CA 92101

(619)557-5610

Fax: (619)557-5917

Email: Efile.dkt.gc2@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Assistant United States Attorney

Meghan Elizabeth Heesch

U.S Attorney's Office

880 Front Street

Room 6293

San Diego, CA 92101

619-546-9442

Fax: 619-546-0543

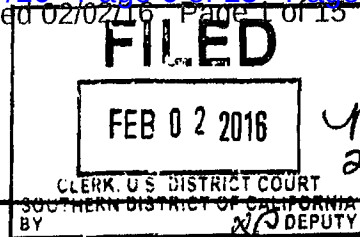
Email: meghan.heesch@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/01/2016		Arrest of Jessica Lopez (no document attached) (lao) (Entered: 02/02/2016)
02/02/2016	<u>1</u>	OUT OF DISTRICT COMPLAINT as to Jessica Lopez. (Attachments: # <u>1</u> Info sheet)(lao) (Entered: 02/02/2016)
02/02/2016	2	Set/Reset Duty Hearings as to Jessica Lopez: Initial Appearance - ODC set for 2/2/2016 before Magistrate Judge Bernard G. Skomal. (no document attached) (lao) (Entered: 02/02/2016)
02/02/2016	3	Minute Entry for proceedings held before Magistrate Judge Bernard G. Skomal: Initial Appearance - Out of District Complaint as to "person charged as" Jessica Lopez held on 2/2/2016. Federal Defenders appointed as counsel for Jessica Lopez. Bond set as to "person charged as" Jessica Lopez (1) No Bail. Detention Hearing - RF set for 2/5/2016 10:00 AM before Magistrate Judge Bernard G. Skomal. Removal/ID Hearing set for 2/16/2016 01:30 PM before Magistrate Judge Bernard G. Skomal. (Interpreter Nelly Sztuden). (CD# 2/2/2016 BGS 16:3:23-3:28). (Plaintiff Attorney Meghan Heesch, AUSA). (Defendant Attorney Chandra Peterson, FD-S/A). (no document attached) (yeb) (Entered: 02/02/2016)
02/02/2016	4	Oral MOTION to Detain (flight) by USA as to "person charged as" Jessica Lopez. (no document attached) (yeb) (Entered: 02/02/2016)
02/02/2016	5	***Spanish Interpreter needed as to Jessica Lopez (no document attached) (yeb) (Entered: 02/02/2016)
02/04/2016	6	NOTICE OF CHANGE OF HEARING as to Defendant Jessica Lopez. On Court's own motion a Detention Hearing - RF is reset for 2/5/2016 01:30 PM in Courtroom 1B before Magistrate Judge Bernard G. Skomal. ***CHANGE IN TIME ONLY*** (no document attached) (tml) (Entered: 02/04/2016)
02/04/2016	<u>7</u>	NOTICE OF ATTORNEY APPEARANCE: Chelsea A. Estes appearing for Jessica Lopez (Estes, Chelsea)Attorney Chelsea A. Estes added to party Jessica Lopez(pty:dft) (acc). (Entered: 02/04/2016)
02/04/2016	<u>8</u>	NOTICE OF ATTORNEY APPEARANCE Meghan Elizabeth Heesch appearing for USA. (Heesch, Meghan)Attorney Meghan Elizabeth Heesch added to party USA(pty:pla) (acc). (Entered: 02/04/2016)

02/05/2016	<u>9</u>	Minute Entry for proceedings held before Magistrate Judge Bernard G. Skomal: Detention Hearing as to Jessica Lopez held on 2/5/2016. Granting 4 Motion to Detain as to Jessica Lopez (1); Order of detention to be filed by Court. (Interpreter Bonnie Ramirez). (CD# 2/5/2016 BGS1:154-207). (Plaintiff Attorney AUSA, Meghan Heesch). (Defendant Attorney Chelsea Estes, FD). (no document attached) (tml) (Entered: 02/05/2016)
02/05/2016	<u>10</u>	DETENTION ORDER as to Jessica Lopez. Signed by Magistrate Judge Bernard G. Skomal on 2/5/2016. (fth) (Entered: 02/08/2016)
02/16/2016	<u>11</u>	Minute Entry for proceedings held before Magistrate Judge Bernard G. Skomal: Removal/ID Hearing as to Jessica Lopez not held on 2/16/2016. Defendant waives identity hearing. Defendant admits identity. Waiver of hearing filed. Court orders defendant removed to the Central District of California. Warrant of removal issued. (Interpreter Salvador Castellanos). (CD# 2/16/2016 BGS1:134-138). (Plaintiff Attorney AUSA, Meghan Heesch). (Defendant Attorney Chelsea Estes, FD). (no document attached) (tml) (Entered: 02/17/2016)
02/16/2016	<u>12</u>	WAIVER of Rule 5 Hearings by Jessica Lopez (acc) (Entered: 02/17/2016)
02/16/2016	<u>13</u>	WARRANT of Removal to District of California (Central District) Issued as to Jessica Lopez. (acc) (Entered: 02/17/2016)
02/17/2016	<u>14</u>	NOTICE to Receiving District: (Central District of California), of Case Removal, as to Jessica Lopez. The following documents are available on the public docket: <u>12</u> Waiver of Rule 5 Hearings, <u>10</u> Order of Detention, <u>7</u> Notice of Attorney Appearance - Defendant, <u>13</u> Warrant of Removal Issued, <u>1</u> Out of District Complaint, <u>8</u> Notice of Attorney Appearance - USA. To request additional transfer information and/or to submit acknowledgment re receipt of transfer, please email InterdistrictTransfer_CASD@casd.uscourts.gov.. (acc) (Entered: 02/17/2016)



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA **16MJ0315**

ARREST ON OUT-OF-DISTRICT OFFENSE

CASE NUMBER: CR15-0707

The person charged as Jesica Lopez now appears before this United States District Court for an initial appearance as a result of the following charges having been filed in the United States District Court for the Central District of California with: 21 USC 846; 21 USC 841(a)(1); 21 USC 841(b)(1)(B)(viii) – Conspiracy to Distribute Methamphetamine; Distribution and Possession with the Intent to Distribute Methamphetamine.

The charging documents and warrant for the arrest of defendant which was issued by the above United States District Court are attached hereto.

I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: February 2, 2016

Patrick MacKenzie, Special Agent
Homeland Security Investigations

Reviewed and Approved

Dated: [signature] (signature)

Meghan Heesch (print)
Assistant United States Attorney

1 **Chelsea A. Estes**
California Bar No.: 297641
2 **Federal Defenders of San Diego, Inc.**
3 225 Broadway, Suite 900
San Diego, California 92101-5008
4 Telephone: (619) 234-8467
5 Facsimile: (619) 687-2666
E-Mail: chelsea_estes@fd.org
6

7 Attorneys for Ms. Lopez

8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
10 **(HONORABLE BERNARD G. SKOMAL)**

11 **United States of America,**

Case No.: 16-MJ-0315-BGS

12 Plaintiff,

13 v.

Notice of Appearance

14 **Jesica Lopez,**

15 Defendant.
16

17 Pursuant to implementation of the CM/ECF procedures in the Southern District of
18 California, **Chelsea A. Estes**, Federal Defenders of San Diego, Inc., files this Notice of
19 Appearance as *lead attorney* in the above-captioned case.
20

21 Respectfully submitted,

22
23 Dated: February 4, 2016

s/ Chelsea A. Estes

CHELSEA A. ESTES

Federal Defenders of San Diego, Inc.
Attorneys for Ms. Lopez
24
25
26
27
28

Certificate of Service
16-MJ-0315-BGS

Counsel for the Defendant certifies that the foregoing pleading has been electronically served on the following parties by virtue of their registration with the CM/ECF system:

United States Attorney's Office
Efile.dkt.gc2@usdoj.gov

Dated: February 4, 2016

s/ Chelsea A. Estes

CHELSEA A. ESTES

Federal Defenders of San Diego, Inc.
Attorneys for Ms. Lopez

1 LAURA E. DUFFY
United States Attorney
2 MEGHAN E. HEESCH
Assistant United States Attorney
3 Minnesota State Bar No. 0395912
United States Attorney's Office
4 880 Front Street, Room 6293
San Diego, California 92101-8893
5 Telephone: (619) 546-9442
Email: meghan.heesch@usdoj.gov

6 Attorneys for Plaintiff
7 UNITED STATES OF AMERICA

8
9 UNITED STATES DISTRICT COURT

10 SOUTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

Case No.: 16MJ0315-BGS

12 Plaintiff,

13 v.

NOTICE OF APPEARANCE

14 JESICA LOPEZ,

15 Defendant.

16
17 TO THE CLERK OF COURT AND ALL PARTIES OF RECORD

18 I, the undersigned attorney, enter my appearance as lead
19 counsel for the United States in the above-captioned case. I
20 certify that I am admitted to practice in this court or authorized
21 to practice under CivLR 83.3.c.3-4.

22 The following government attorneys (who are admitted to
23 practice in this court or authorized to practice under CivLR
24 83.3.c.3-4) are also associated with this case, should be listed as
25 lead counsel for CM/ECF purposes, and should receive all Notices of
26 Electronic Filings relating to activity in this case:

27 Name

28 None.

1 Effective this date, the following attorneys are no longer
2 associated with this case and should not receive any further
3 Notices of Electronic Filings relating to activity in this case (if
4 the generic "U.S. Attorney CR" is still listed as active in this
5 case in CM/ECF, please terminate this association):

6 Names

7 None.

8 Please feel free to call me if you have any questions about this
9 notice.

10 DATED: February 4, 2016.

11 Respectfully submitted,

12 LAURA E. DUFFY
13 United States Attorney

14 s/Meghan E. Heesch
15 MEGHAN E. HEESCH
16 Assistant U.S. Attorney
17 Attorneys for Plaintiff
18 United States of America
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESICA LOPEZ,

Defendant.

Case No.: 16MJ0315-BGS

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT:

I, Meghan E. Heesch, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, CA 92101-8893.

I am not a party to the above-entitled action. I have caused service of the Notice of Appearance as lead counsel for the United States, and this Certificate of Service, on the following parties by electronically filing the foregoing with the Clerk of the U.S. District Court for the Southern District of California using its ECF System, which electronically notifies them:

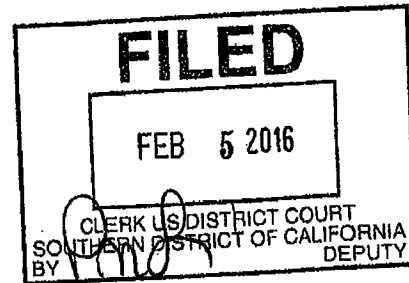
To: Chelsea A. Estes, Esq. Attorney for Defendant

I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 4, 2016.

LAURA E. DUFFY
United States Attorney

s/Meghan E. Heesch
MEGHAN E. HEESCH
Assistant U.S. Attorney
Attorneys for Plaintiff
United States of America



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
JESICA LOPEZ
Defendant.

Criminal No.16MJ315
DETENTION ORDER

A. **Order For Detention**

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

B. **Statement of Reasons For the Detention**

The Court orders the defendant's detention because it finds:

 X

By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.

By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community.

C. **Rebuttable Presumption**

1 In determining that the defendant should be detained, the Court relied on the following
2 rebuttable presumption(s) contained in 18 U.S.C. §3142(e):

3 _____ (a) That no condition or combination of conditions will reasonably assure the
4 safety
5 of any other person and the community because the Court finds that the crime involves:

6 _____ (A) A crime of violence or a crime listed in 18 U.S.C. §2332b(g)(5)(B)
7 for which the maximum sentence is 10 years or more; or

8 _____ (B) An offense for which the maximum penalty is life Imprisonment
9 or death; or

10 _____ (C) A controlled substance violation which has a maximum penalty
11 of 10 years or more; or,

12 _____ (D) A felony after the defendant had been convicted of two or more
13 offenses described in (A) through (C) above,

14 **AND** the defendant has a prior conviction for one of the crimes mentioned in
15 (A) through (C) above, which was committed while the defendant was on
16 pretrial release and no more than five years have passed since his release
17 from imprisonment for that crime.

18 X (b) That no condition or combination of conditions will reasonably assure the
19 appearance of the defendant as required and the safety of the community
20 because the Court finds that there is probable cause to believe:

21 _____ (A) That the defendant has committed a controlled substance
22 violation which has a maximum penalty of 10 years or more.

23 _____ (B) That the defendant has committed an offense under 18 U.S.C.
24 §§924(c), 956(a) or 2332b.

25 X (C) That the defendant has committed an offense listed in 18 U.S.C.
26 §2332b(g)(5)(B) which has a maximum penalty of 10 years or more.

27 _____ (D) That the defendant has committed an offense involving a minor
28 victim under 18 U.S.C. §§1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251,
2251A, 2252(a)(1), (2) or (3), 2252A(a)(1), (2), (3) or (4), 2260, 2421, 2422,
2423 or 2425.

_____ The Court finds the defendant has not rebutted the presumption that no
condition or combination of conditions will reasonable assure _____ the
appearance of the defendant ; _____ the safety of the community.

25 **D. Written Statement of Reasons for Detention**

26 The factual findings and conclusions of law to support this detention order are contained
27 in the transcript of the proceeding of
28

February 5, 2016 and the transcript of those proceedings are specifically incorporated as my written statement of reasons for detention.

E. Additional Directives


IT IS ORDERED that the defendant be committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with his counsel.

While in custody, on order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding or any other appearance stipulated to by defense and Government counsel.

This order is made without prejudice to modification by this Court.

IT IS SO ORDERED.

Dated: February 5, 2016



BERNARD G. SKOMAL

United States Magistrate Judge

cc: District Judge

All Counsel of Record

AO 466A (Rev. 12/09) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT

for the
Southern District of California

United States of America

v.

Jessica Lopez
Defendant

Case No. 16MJ315

Charging District's Case No.

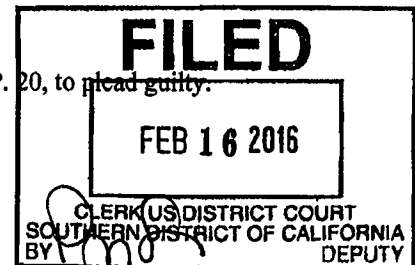
WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)I understand that I have been charged in another district, the (name of other court) Central District of CA.

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☐ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.



I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 2/12/16

Jessica Lopez
Defendant's signature

Chelsea Estey
Signature of defendant's attorney